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James C. Codell, III
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Commonwealth of Kentucky
Transportation Cabinet
Frankfort, Kentucky 40622

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April 11, 2001

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Ms. Magalie Roman Salas
Commission Secretary
Federal Communications Commission
Portals II, 445 12th Street, S.W.
Suite TW-A325
Washington, DC 20554

Re: File No. NSD-L-99-24
CC Docket No. 92-105
Petitions for Reconsideration

Dear Ms. Salas:

The Kentucky Transportation Cabinet is pleased to submit a response to the Petitions for Reconsideration received from six wireless providers and the Cellular Telecommunications and Internet Association. Our response is attached.

Sincerely,

James C. Codell, III
Secretary

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Attachment



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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of)	
Petition by the United States Department of)	NSD-L-99-24
Transportation for Assignment of an Abbreviated)	
Dialing Code (N11) to Access Intelligent)	
Transportation System (ITS) Services Nationwide)	
The Use of N11 Codes and Other Abbreviated)	CC Docket No. 92-105
Dialing Arrangements)	

The Kentucky Transportation Cabinet (KYTC) hereby submits its Opposition to the Petitions for Reconsideration in the above captioned proceeding. Our comments are directed only to the 511 Dialing Code issues.

Several wireless telecommunications providers and one industry association, the Cellular Telecommunications & Internet Association (CITA) have petitioned for reconsideration of the FCC Third Report and Order and Order on Reconsideration, 15 FCC Rcd 16753 (2000). These petitions presented several points for which the KYTC will not offer a point-by-point response. We will, however, focus on our commitment to providing traveler information as well as our willingness to recognize and resolve the various implementation issues.

KYTC COMMITMENT TO PROVIDING TRAVELER INFORMATION VIA 511

The KYTC expects to spend in excess of \$237,000 for nonrecurring costs in converting two traveler information systems to 511. A cost breakdown follows:

- | | |
|--|-----------|
| 1. ARTIMIS TATS in Boone, Kenton and Campbell Counties | \$ 12,000 |
| 2. Statewide Road Condition Report | |
| - Converting 190 landline central offices to 511 | 100,000 |
| - New Interactive Voice Response (IVR) System | 96,000 |
| - Signs promoting 511 availability | 25,000 |
| - Installation of three T-1 trunk lines | 4,000 |

In addition, each call to our Road Condition Report will cost \$0.038 per minute and there are recurring costs of seven T-1 trunk lines that will be a KYTC responsibility.

The most critical travel times in Kentucky occur in winter months during snow and ice conditions. During these periods, there are hundreds of snowplows and salt trucks deployed over the State. Each one is radio-equipped and we are beginning to add Global Positioning System devices. Thus, we

know the road conditions during these critical times far better than any other agency and in far better position than any agency, public or private, to provide this information to travelers.

There are economic as well as safety reasons for our efforts. It is vital for as many travelers to receive as much information as possible. We certainly do not want a government monopoly on our Road Condition Report information. We greatly desire the wireless carriers to access our information and, in turn, provide it to their customers. However, the most easily accessed number, 511, should be reserved for the agency that is to have the information available first and will receive the largest number of calls. It is not uncommon for several thousand calls to be received during snow and ice days. Even so, our use of 511 and the wireless carriers working with us will not disseminate this information to every traveler who needs it.

KYTC COMMITMENT TO RESOLVE ROUTING AND COST RECOVERY ISSUES

The KYTC has always attempted to work with any private sector company to resolve operational issues. We will continue to do so in working with the 25 wireless carriers in Kentucky to resolve any and all issues in implementing 511. Likewise, we expect the wireless carriers to be able to re-coup all reasonable expenses associated with adjustments in cell tower routing. There will likely be some desirable cell tower re-routing that is not cost-effective and we will forego these instances. We have already established contact with some wireless carriers and are moving to contact others so that we can resolve these issues.

The KYTC will provide a ten-digit 800 number for which to "point" all 511 calls, landline and wireless. We will not expect wireless carriers to pay any more for a 511 call than for any other wireless call. Wireless carriers will not pay any long distance charges in routing their customers' calls to our Road Condition Report.

The Kentucky Public Service Commission (KPSC) has assigned 511 to the KYTC on a Statewide basis. Thus, we have control of 511 usage subject to oversight by the KPSC. Any local transportation agency that desires to use 511 will have to come to this agency with their requests. They will not be approaching any wireless carriers seeking access. Further, as funds become available, we desire to greatly improve the quality of traveler information in three other regional areas (besides Northern Kentucky) as well as in rural areas.

The KPSC has convened an informal conference on 511 implementation in Kentucky. One participant, AT&T Wireless, subsequently filed a response on technical issues, a copy of which is attached.

ASSOCIATED 511 ACTIVITIES

The American Association of State Highway and Transportation Officials (AASHTO) has formed two national groups to work toward consistency in implementing 511. One group is the 511 Policy Committee composed of executive level personnel from several agencies, including the KYTC. The second group is composed of specialists from a broader spectrum of agencies. Our member of the second group has been working with N11 issues since 1995 when this Agency successfully petitioned the KPSC for the 311 Dialing Code. The KYTC is fully committed to a Nationally consistent implementation of 511.

SUMMARY

1. The KYTC has already expended \$115,000 on implementing 511 and expects to expend over \$122,000 additional in completing the job. This does not include the recurring costs that will be required on a monthly basis.
2. The KYTC is best able to implement both wireless and wireline access to 511, both locally and statewide.
3. The KYTC will resolve any requests or disputes that may arise regarding use of 511 by local transportation agencies in the State.
4. The KYTC does not have and does not wish to have a monopoly in providing traveler information and welcomes assistance by any provider in getting information to the travelers.
5. The KYTC does not expect any traveler to pay more for a wireless call to 511 than they would pay for any other wireless call.
6. The KYTC does not expect any wireless carrier to pay long distance charges on calls between their landline carrier interface and our STOC in Frankfort.
7. The KYTC has a history of resolving issues associated with N11 and will continue to try to resolve future issues in a fair and open manner including routing and cost recovery.
8. The KYTC is open to resource sharing permit arrangements with both landline and wireless carriers.

RESPECTFULLY SUBMITTED,

THE KENTUCKY TRANSPORTATION CABINET


James C. Codell, III
Secretary

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